

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 LINDA L. SUN
Deputy Attorney General
4 State Bar No. 207108
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-6375
6 Facsimile: (213) 897-2804
Attorneys for Complainant

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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. *2013-800*

11 **PAMELA LYNN MURPHY**
12 **P.O. Box 209**
13 **Grant, NE 69140**

A C C U S A T I O N

14 **Registered Nurse License No. 294584**
Public Health Nurse Certificate No. 33617

15 Respondent.

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17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing (Board),
21 Department of Consumer Affairs.

22 2. On or about August 31, 1978, the Board issued Registered Nurse License Number
23 294584 to Pamela Lynn Murphy (Respondent). The Registered Nurse License expired on June
24 30, 2012, and has not been renewed.

25 3. On or about December 31, 1982, the Board issued Public Health Nurse Certificate
26 Number 33617 to Respondent. The Public Health Nurse Certificate expired on June 30, 2012,
27 and has not been renewed.

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1 **JURISDICTION**

2 4. This Accusation is brought before the Board under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 **STATUTORY PROVISIONS**

6 5. Section 2750 of the Code provides, in pertinent part, that the Board may discipline
7 any licensee, including a licensee holding a temporary or an inactive license, for any reason
8 provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

9 6. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
10 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
11 licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the
12 Code, the Board may renew an expired license at any time within eight years after the expiration.

13 7. Section 2761 of the Code states:

14 "The board may take disciplinary action against a certified or licensed nurse or deny an
15 application for a certificate or license for any of the following:

16 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

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18 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
19 against a health care professional license or certificate by another state or territory of the United
20 States, by any other government agency, or by another California health care professional
21 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
22 action."

23 **COST RECOVERY PROVISION**

24 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
25 administrative law judge to direct a licentiate found to have committed a violation or violations of
26 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
27 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
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1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
2 included in a stipulated settlement.

3 **CAUSE FOR DISCIPLINE**

4 **(Discipline by Another State)**

5 9. Respondent is subject to disciplinary action under Code section 2761, subdivision
6 (a)(4), in that Respondent was disciplined by the Virginia Board of Nursing. The circumstances
7 are as follows:

8 10. On or about July 30, 2007, the Virginia Board of Nursing issued License No. 0001-
9 208574 to Respondent to practice as a registered nurse. On or about July 1, 2008, the Virginia
10 Board of Nursing issued License No. 0024-167895 to Respondent to practice as a nurse
11 practitioner in the category of certified nurse anesthetist.

12 11. On or about October 1, 2010, the Virginia Board of Nursing issued an Order of
13 Reprimand upon Respondent. The circumstances surrounding the Order are that on or about June
14 8, 2010, during an Informal Conference among Respondent, her counsel, and the Agency
15 Subordinate for the Virginia Board of Nursing, Respondent admitted that between March 1, 2009
16 and December 11, 2009, she took Nubain and Anzemet, unscheduled prescription medications,
17 from her former employer, Naval Regional Medical Center Portsmouth, and used them without
18 authorization on her patients at Portsmouth Anesthesia Associates, her subsequent employer.

19 **PRAYER**

20 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
21 and that following the hearing, the Board of Registered Nursing issue a decision:

22 1. Revoking or suspending Registered Nurse License Number 294584, issued to Pamela
23 Lynn Murphy;

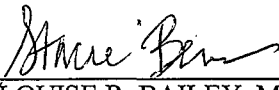
24 2. Revoking or suspending Public Health Nurse Certificate Number 33617, issued to
25 Pamela Lynn Murphy;

26 3. Ordering Pamela Lynn Murphy to pay the Board of Registered Nursing the
27 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
28 Professions Code section 125.3;

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4. Taking such other and further action as deemed necessary and proper.

DATED: MARCH 19, 2013

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LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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